

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE ENROLLED ACT No. 1657

AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 13-17-9-1, AS AMENDED BY P.L.1-1999, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) Subject to section 3 of this chapter, a person may open burn the following for maintenance purposes:

(1) Vegetation from:

- (A) a farm;
- (B) an orchard;
- (C) a nursery;
- (D) a tree farm;
- (E) a cemetery; or
- (F) a drainage ditch.

(2) **Vegetation from agricultural land if the open burn occurs in an unincorporated area.**

(3) Wood products derived from pruning or clearing a roadside by a county highway department.

~~(3)~~ (4) Wood products derived from the initial clearing of a public utility right-of-way if the open burn occurs in an unincorporated area.

~~(4)~~ (5) Undesirable:

- (A) wood structures on real property; or
- (B) wood remnants of the demolition of a predominantly wooden structure originally located on real property;

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located in an unincorporated area.

(b) A person who is allowed to open burn under subsection (a) is not required to obtain:

(1) a permit; or

(2) any other authorization;

from the department, a unit of local government, or a volunteer fire department before conducting the open burning.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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